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HARYANA GOVERNMENT

ESI HEALTH CARE DEPARTMENT

Notification

The 8th August, 2023

No. 10/31/2021-5Lab.— The Governor of Haryana hereby makes the following Online Transfer Policy for Ministerial Staff Field Cadre (Clerks and Assistants) working on regular basis in the ESI Health Care, Haryana:-

1. **Vision:** To ensure equitable distribution of employees of ESI Health Care Haryana at different locations in a fair and transparent manner and to maximize job satisfaction amongst employees and further to improve performance of the Department.
2. **Application:** This policy shall be applicable to all Ministerial Staff Field Cadre (Clerks and Assistants) working on regular basis.
3. **Definitions:** In this policy, unless there be anything repugnant in the subject or context;
 - (a) **‘Blocked Posts’** means the vacancies of a cadre remain unfilled at any given point of time due to shortage of employees in the department.
 - (b) **‘Employees of Special Category’** means the blind employees or the differently abled employees or their child(ren) and spouse, women employees, women headed households, widows, widowers, couple case, employees suffering from Diseases of Debilitating Disorder.
 - (c) **‘Prescribed Tenure’** means the tenure of appointment for a period of five years. While calculating the tenure of an employee for the purpose of this policy, the date from which someone is working at a station on 31st March of the calendar year of transfer shall be counted irrespective of the fact he has been appointed by temporary transfer or otherwise. However, an employee may participate in the transfer drive subject to completion of minimum three years service at a station.
 - (d) **‘Qualifying date’ for the purpose of calculation of vacant post(s)** shall be the 31st March of the calendar year of transfer.

(e) **‘Service’** means duty period and all kinds of leave including extraordinary leave availed by a Govt. employee during the prescribed tenure.

(f) **‘transfer’** means posting/appointment from one station to another on or before completion of prescribed tenure in a Station.

(g) **‘Vacant Post for transfer’** means

- (i) a post not occupied by any employee;
- (ii) a post presently occupied by an employee for a period of five years or more;
- (iii) a post on which an employee has been appointed by temporary transfer or due to non-availability of online transfer drive;
- (iv) a post occupied by an employee who has been adjudged eligible and allowed by the competent authority to participate in general transfer drive even in he has not completed the prescribed tenure in the station where he is presently posted.

Note 1.- Where there are Blocked Posts in a cadre the same shall be excluded from the number of vacant posts for transfer.

Note 2.- The post against which an employee has been posted/transferred on compulsion of administrative reasons or litigational nature shall also not be included in the vacant posts for transfer.

Note 3.- The Department shall prepare the list of vacant posts for transfer and notify them for the benefit of stakeholders. Depending upon input from stakeholders, such list may be amended if required.

(h) **‘Station’** means an institution for the purpose of calculation of prescribed tenure and entitlement of an employee for transfer from one station to another under this policy.

4. **General Principles:**

(i) **Time Schedule for online transfers:**

- (a) General transfers online will be made only once in a year. However, transfer/posting necessitated by promotion, direct recruitment, posts needed to be filled up in public interest, can be made anytime by the competent authority.
- (b) The online process will be completed upto 31st March or as decided by the competent authority and implemented after 31st March or as per exigency/convenience of the Department.

(ii) **Liable to be posted anywhere:**

Employees are liable to be transferred under this Policy in any Station or anywhere in the State, in public interest, on completion of prescribed tenure.

(iii) **Computerization of relevant service record of employees:**

The Department shall ensure concerned DDO shall enter service record of all employees in HRMS. DDO shall be responsible for the accuracy and regular updation of data in the Management Information System in respect of credentials of his employee.

(iv) **Rationalization and Blocking of posts:**

To avoid disproportionate concentration of employees at a particular station, the department should rationalize their sanctioned posts and also block actual vacant posts to be kept vacant in the transfer drive. In the long run, however, the departments may increase/decrease the total number of sanctioned posts as per their assessment/requirement in consultation with Work Assessment Cell in the Administrative Reforms Department and Finance Department.

5. **Merit criteria for allotment of posts:**

- a. Merit for allotment of vacant post to an employee shall be based on the total composite score of points earned by the employee, out of **80 points** as described below. The employee earning highest points will be entitled to be transferred against a particular vacancy.
- b. Age shall be the prime factor for deciding the claim of an employee against a vacancy since it shall have **weightage of 60 points, out of total points**.

- c. A privilege of maximum 20 points can be availed by the employees of special categories as indicated below:-

(A) Age: The first set of merit points will be the age of the Government employee concerned enumerated below:-

Sr. No.	Major Factor	Sub-Factor	Max. Points	Criteria for calculation
1.	Age (Present date i.e. 1 st January of the year of consideration minus date of birth)	Eldest person shall be given maximum points	60	Age in number of days÷365 (maximum four decimal points only)

(B) Special Category: The second set of merit points will come from the special category enumerated hereinafter:-

Sr. No.	Major Factor	Sub –Factor	Max. Points	Explanation
1.	Gender	Female	10	10 points shall be given to female employee.
2.	Special category female employees	Widow/divorced/ separated/ unmarried female employee more than 40 years of age/ wife of serving Military Personal /Paramilitary personal working outside the state.	10	All female of this category shall be given 10 marks only.
3.	Special category male employee	Widower who has not re-married and has one or more minor children and /or unmarried daughter (s)	5	Eligible widowers shall be given 5 points only.
4.	Differently abled persons	Vision	20	40% to 60% disability = 10Marks Above 60% to 80% = 15 Marks. Above 80%=20 Marks
		Locomotors	20	
		Deaf & Dumb	20	
5.	Diseases "Debilitating Disorders" i.e. (a) Currently suffering from cancer, or (b) Having undergone by-pass heart surgery; or (c) Kidney transplant; or (d) Currently undergoing dialysis.	Self	10	Valid medical certificate issued during last one year by AIIMS (Including its branches in Haryana), PGI Rohtak, PGI Khanpur Kalan, Kalpana Chawla Medical College, Karnal, PGI Chandigarh, Medical college of Haryana Government or a Medical Board so constituted.

6.	Diseases “Debilitating Disorders”	Spouse/unmarried Children	10	Valid certificate issued during last one year by AIIMS (Including its branches in Haryana), PGI Rohtak, PGI Khanpur Kalan, Kalpana Chawla Medical College, Karnal, PGI Chandigarh, Medical College of Haryana Government or a Medical Board so constituted.
7.	Differently abled or mentally challenged Children	Male/Female employee having Mentally challenged or 100% differently abled child	10	Male/Female employee having mentally challenged or 100% differently abled children shall be provided maximum 10 points.
8.	Couple case	Only applicable to females	5	Employees’ spouses working in any Department/Board/ Corporation under any State Government or Government of India.

(C) Marks for negative performance:

Sr. No.	Major Factor	Sub –Factor	Max. Points	Explanation	
1.	Negative Performance	Employees awarded With punishment under rule -7 & 8*	7 (Minus) under 7 and 3.5 (Minus) under 8	Under rule 7	Under rule8
				Ist= 1	Ist= 0.5
				2 nd = 2	2 nd = 1
				3 rd =4	3 rd =2
				4 th =5	4 th =2.5
				5 and above=7	5 and above=3.5
				If a employee is punished under rule 7 as well as 8 then both deduction on this account will consider upto maximum 10.5 points	

* Rule 07 & 08 of Haryana Civil Service (Punishment & Appeal) Rules, 2016.

- d. The employees who are 100% blind or having 80% or more locomotors disabilities involving both the legs shall be given their choice of posting.
- e. Marks of the negative performance will be deducted from the maximum of 20. To elaborate, firstly the positive marks will be calculated subject to the maximum of 20 and then the marks for negative performance will be deducted from those maximum of 20 marks.

6. Procedure to be adopted:

- (i) Head of Department shall seek preferences for choice of station in a station from the eligible employees for transfer. The transfer exercise shall be carried out only through approved web based application.
- (ii) The option once availed and confirmed by the employee shall be final and cannot be changed. In case of employees who exhaust their preferred choices, before posting them under 'Anywhere in the State' option, the department shall again seek their options against the remaining available posts at that point of time. Changes in the transfer software may be made accordingly so that they are not randomly posted too far away from their places of posting.

- (iii) If employee has completed five years of stay then such station shall not be made available to him/her giving option of station for next five years.
 - (iv) An employee who is due for superannuation within one year or less service shall not be eligible to participate in the transfer drive unless he so desires.
 - (v) Merit criteria for allotment of station will be as per Para 5 above.
 - (vi) All transfers shall be implemented within seven days of their issuance. The Treasury Officers concerned shall not draw the salary of the employees who have not complied with the orders.
 - (vii) A Committee headed by the Deputy Commissioner and comprising of CMO and District Officer of the concerned Department, may recommend deputation/temporary transfer of an employee after the transfer drive, on the basis of genuine and compelling reasons. A web portal should be provided for taking online applications from the employees for this purpose. The Committee will scrutinize such cases and send their recommendations to the Govt. which will be dealt under relaxation clause of the Transfer Policy.
 - (viii) Online general transfer due to completion of prescribed tenure of five years shall be treated as 'transfer in public interest' and in such case the joining time and composite transfer grant shall be admissible as per provision in Haryana Civil Service Rules, 2016.
 - (ix) The employee aggrieved with the transfer can represent to the Administrative Secretary after joining at the new place of posting within 15 days of issuance of orders, on a grievance redressal forum to be provided by the department for this purpose. The representation shall be considered in accordance with the policy and appropriate decision shall be conveyed by passing a speaking order.
7. **Bar against canvassing:** No employee shall canvass for his case except through a representation to the Head of Department or to higher authorities in Haryana, as per this policy. All other individual representations shall be treated as an attempt to bring extraneous influence on the due process. No relief can be sought except the one already sought as per para 6 above.
8. **Appointment by promotion/direct recruitment:** Employees taken in a cadre through direct recruitment / promotion/repatriation shall be posted in the station of eligibility and availability.
9. **Opportunity of option to certain categories:** The following categories of employees will not be transferred unless they desire to participate in the transfer drive:-
- (a) Employees having 12 months or less in retirement on the date of next transfer drive;
 - (b) Unmarried female employees upon marriage;
 - (c) Married female employees upon divorce; or
 - (d) Widow or widower employees on the death of spouse;
 - (e) They may be permitted to participate in the next transfer drive after the event. After the transfer drive, the 'newly married' or 'recently divorced' female employees shall be given preferred place of posting against vacancy upon request. However, they shall have to participate in the next transfer drive being married or widowed and at that time they shall be adjusted at any of their top three choices against available vacant posts.
10. **Clarification & Implementation :** In case of any doubt or difficulty in making out the true intention of the provisions of this policy, the Administrative Department in consultation with General Administration Department shall be the competent authority to clarify such doubt or to remove such difficulty by issuing a reasoned order to this effect.
11. **Power to relax :** Notwithstanding anything contained in the policy, the Administrative Secretary, of ESI Department, Haryana with the prior approval of the Hon'ble Chief Minister, Haryana, shall be competent to transfer any employee to any place in relaxation of any or all of the above provisions after recording reasons justifying such relaxation.

ANURAG AGARWAL,
Principal Secretary to Government Haryana,
Labour Department.